


CLERK OF THE BOARD
DATE AND TIME RECORDER STAMP

**OFFICE OF THE MAYOR
MIAMI-DADE COUNTY, FLORIDA**

VETO AND VETO MESSAGE

To: Honorable Chairperson and Members
Board of County Commissioners
Miami-Dade County, Florida

From: 
Carlos Alvarez, Mayor
Miami-Dade County, Florida

CLERK OF THE BOARD
2005 NOV 12 AM 10:26
CLERK. MARIA S. GARCIA

Pursuant to the authority vested in me under the provisions of Section 1.10.A of the Miami-Dade County Home Rule Charter, I hereby veto Resolution number R-1273-05 adopted at the November 3, 2005 Board of County Commissioners Meeting:

**RESOLUTION PROVIDING FOR THE CONTINUATION OF
HEALTH INSURANCE BENEFITS FOR EXECUTIVE EMPLOYEES
AND ELECTED OFFICIALS AFTER RETIREMENT**

Veto Message

During the course of the November 3, 2005 Miami-Dade Board of County Commissioners (BCC) meeting, resolution No. R-1273-05 Executive Continuing Health Insurance Program (ECHIP) was approved by a 5-4 vote of the BCC. The resolution calls for a modification of the current benefits for retired elected officials and executive employees. The major provisions delineated within ECHIP are as follows:

- Eligibility is restricted to elected officials with at least 5 years of service and county employees with 20 or more years of continuous employment, and at least 6 years of Group 1 classification.
- ECHIP provides for 10 years of dependent healthcare coverage for qualifying elected officials and county employees.
- ECHIP also affords participants the option to receive a \$500 monthly cash payment in lieu of healthcare benefits for dependents.
- The 10 years of coverage for dependents will begin upon retirement.
- ECHIP eligibility is retroactive to January 1, 2004.

While I applaud the efforts of Commissioner Barbara J. Jordan for her leadership and vision to provide for the health and welfare of retired elected officials, county executives, and their families, I have two main concerns with this item as it was amended and adopted. Foremost, the fact that the resolution is retroactive to January 1, 2004, creates an unanticipated fiscal impact on the current fiscal year's budget. A resolution that allows for proper channeling through the budgetary process can ensure that adequate resources are allocated for this program without detriment to existing County services.

In addition, the resolution's \$500 cash option in lieu of dependent care coverage is another area of concern. Offering dependent coverage satisfies the previously stated goal of providing for the health of these employees and their families, while a monthly cash payment appears to go beyond this intended purpose.

Closing

Recognition of dedicated and outstanding long-term public service and maintaining the competitiveness of top County positions with those of the private sector are worthwhile objectives that deserve further attention. I encourage the spirit of appreciation that, no doubt, inspired this resolution, and I hope that future efforts are made in the best interests of our retired elected officials, county employees and their loved ones, as well as our taxpayers. The resolution begins to address this necessity; however, in its current form, I cannot support this effort.

Approved _____ Mayor
Veto 11-12-05 oc.
Override _____

Amended

Agenda Item No. 11(A)(10)

11-1-05

RESOLUTION NO. R-1273-05

RESOLUTION PROVIDING FOR THE CONTINUATION OF
HEALTH INSURANCE BENEFITS FOR EXECUTIVE
EMPLOYEES AND ELECTED OFFICIALS AFTER
RETIREMENT

WHEREAS, this Board recognizes that providing continuing health insurance benefits to executives and elected officials after retirement facilitates the recruitment and retention of qualified executives and elected officials; and

WHEREAS, the provision of such benefits serves as an incentive for the retirement of executives when they become eligible for full Florida Retirement System benefits; and

WHEREAS, such retirements allow for the reduction of salary costs; and

WHEREAS, the County has in the past provided such benefits pursuant to the Departure Incentive Program and through Resolution R-1283-92, as amended by Resolutions R-1589-94 and R-1405-04; and

WHEREAS, eligible employees have based retirement decisions upon the expectation of receiving the benefits of the Departure Incentive Program; and

WHEREAS, the Commission finds that such benefits were not provided consistently in the past and wishes to correct such inconsistencies to ensure compliance with the Commission's original intent; and

WHEREAS, this Board desires to provide a more limited, less costly but more equitable continuing health insurance benefit for qualified executives and elected officials,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The Executive Continuing Health Insurance Program (ECHIP) is hereby established on the following conditions:

(a) The ECHIP shall be available to the following County employees and officials, who resign or retire in good standing:

(1) employees and officials who have been employed by the County for at least twenty continuous years, have been Group 1 executives for at least six years, and who are eligible for full FRS retirement benefits; and

(2) elected officials who have served for at least five years.

Employees or officials accused of misconduct in office, unsatisfactory performance or otherwise acting contrary to the County's interests shall not be considered in good standing and shall not be eligible for ECHIP benefits.

(b) Each eligible employee or official will be covered by the ECHIP unless the employee or official declines coverage in writing at the time of retirement from the County or at such other time that the employee or official first becomes eligible for ECHIP benefits.

(c) The ECHIP shall provide for payment of the full employee premium in a County authorized health plan for a period of 10 years.

(d) The ECHIP shall provide for payment of full dependent health care premium in a County authorized health plan or a \$500 per month payment, as chosen by the employee or official at the time of retirement from the County, for a period of ten years.

(e) All insurance benefits provided through the ECHIP shall be provided on the same terms and conditions as they are provided to County retirees.

(f) An employee or official may choose to switch from dependent health coverage to the monthly monetary payment at any time. However, once an employee or official chooses the monthly monetary payment, the employee or official will not be eligible to receive payment of the dependent health insurance premium.

(g) The ECHIP shall be available to persons meeting the eligibility requirements of Section 1(a) and who have retired or will retire on or after October 1, 2004.

(h) All persons meeting the conditions of Sections 1(a) and 1(g) and who have left County service in good standing prior to the effective date of this resolution shall have the opportunity to participate in a one-time open enrollment period for ECHIP benefits.

(i) Once in the ECHIP, subject to the condition in Section 1(f) above, participants shall remain in the health insurance coverage plan in which they have enrolled for the duration of the program except in the case of hardship, as determined by the County Manager, or unless the health insurance plan is eliminated by the County, at which time they shall have the same options as existing employees.

(j) Benefits under ECHIP shall begin for persons who have resigned or retired previous to the effective date of this resolution on January 1, 2006, and on the date of resignation or retirement for persons resigning or retiring after the effective date of this resolution.

(k) In the event of the death of a participant in the ECHIP, insurance coverage for any dependents will remain in force for the remainder of the participant's eligibility for the ECHIP, or, at the beneficiary's choice, the benefit may be converted to the monthly monetary payment.

(l) Persons separating from County service who have had benefits denied or deferred under County Code Section 2-56.30 through 2-56.33, shall not be eligible for ECHIP benefits,

unless and until they are subsequently granted the benefits denied or deferred under those sections of the Code.

(m) For any person who is participating in the ECHIP Program and who is hired as a County employee in a position eligible for group health insurance benefits or who becomes an elected County official eligible for group health insurance benefits, the ECHIP Program benefits shall be suspended for the period of time the person is employed or in elected office. The benefits shall be reinstated for the remainder of the ECHIP Program benefit period following the employee's leaving County employment or elected office.

(n) Persons who have been authorized prior to this date or are authorized in the future to receive the benefit of the Departure Incentive Program (DIP) program shall continue to be covered under the DIP program and are not eligible for the ECHIP program.

Section 2. The County Manager is directed to prepare, within sixty (60) days, an administrative order formalizing the ECHIP program, which administrative order, once reviewed by the County Attorney, shall be considered approved without further Board action. The ECHIP program will be effective, and employees or officials covered, prior to the completion of the Administrative Order under the terms of the sections above.

The foregoing resolution was sponsored by Commissioner Barbara J. Jordan and offered by Commissioner **Barbara J. Jordan**, who moved its adoption. The motion was seconded by Commissioner **Bruno A. Barreiro** and upon being put to a vote, the vote was as follows:

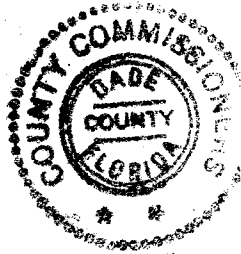
Joe A. Martinez, Chairman	absent		
Dennis C. Moss, Vice-Chairman	nay		
Bruno A. Barreiro	aye	Dr. Barbara Carey-Shuler	aye
Jose "Pepe" Diaz	aye	Carlos A. Gimenez	nay
Sally A. Heyman	nay	Barbara J. Jordan	aye
Dorin D. Rolle	absent	Natacha Seijas	aye
Katy Sorenson	nay	Rebeca Sosa	absent
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this **3rd day** of November, 2005. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **KAY SULLIVAN**
Deputy Clerk



Approved by County Attorney as
to form and legal sufficiency.

hk.

Murray A. Greenberg

MEMORANDUM

Amended
Agenda Item No. 11(A) (10)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

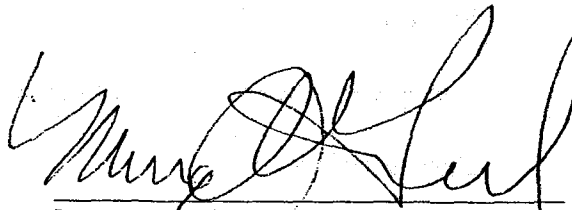
DATE: November 1, 2005

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution providing for
continuation of health
insurance benefits for
retired executive employees
and elected officials

R#1273-05

The accompanying resolution was prepared and placed on the agenda at the request of
Commissioner Barbara J. Jordan.


Murray A. Greenberg
County Attorney



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 1, 2005

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Amended
Agenda Item No. 11(A)(10)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☒ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review